

## **Remarks**

Claims 20 and 21 were pending at the issuance of the instant Office Action. Claims 20 and 21 are rejected. Claim 20 has been amended. New claims 40 and 41 have been added. Claims 1-19, and 22-39 remain withdrawn from consideration. The Applicant reserves the right to prosecute claims directed to their content in subsequently filed related applications. No new matter has been introduced as a result of the aforementioned amendments or new claims.

### **1. Claim Rejections-35 USC §102(b)**

Claims 20 and 21 stand rejected as being anticipated by Mechetener et al. (Clin. Cancer Res., Vol. 4, pp. 389-98 (1998)); Junkun et al. (J. Cell. Biochem., Vol 53, pp. 135-44 (1993)) or U.S. Patent No. 5,679,350 of Junkun et al.; and Gong et al. (Dev. Biol., Vol. 183, pp. 166-82 (1997)). The Applicant has amended claim 20 and submits that the above references do not disclose a method for identifying a taxane-resistant tumor or cells within the tumor that are resistant to taxane chemotherapy comprising the step of identifying tumors or cells within said tumors that show increased expression of myosin phosphatase target subunit 1, albumin D-box binding protein, complement component 7, plasminogen activator, urokinase receptor, DNA binding protein (HIP 116), zinc finger protein (ZNF198) or tropomodulin. Thus, Applicants respectfully contend that these references do not anticipate their claims as amended. Applicants accordingly respectfully requests that the rejections be withdrawn.

## **CONCLUSION**

Applicant respectfully contends that all conditions of patentability are met in the pending claims as amended or as originally presented. Allowance of the claims is thereby respectfully solicited.

If there are any questions or comments regarding this Response or application, the Examiner is encouraged to contact the undersigned representative as indicated below at 312-913-0001.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: February 1, 2007

By: /Kevin E. Noonan/  
Kevin E. Noonan, Ph.D.  
Reg. No. 35,303